

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE

WRIT PETITION NO. 4506 OF 2007

Ssmt.Malati @ Malan Laxman Bhosale.... Petitioner

versus

Dr. Aanjali Suhas Patil & ors..... Respondent.

Shri N.J.Patil for the petitioner.

CORAM; A.P. DESHPANDE, J.
DATED; 01ST AUGUST, 2007

P.C.;

1. An interlocutory order passed by the trial court directing the defendant to lead evidence prior in point of time than that of the plaintiff is challenged by filing the present writ petition. The plaintiff has instituted a suit against the defendant contending that the defendant is a licensee in the suit premises. The defendant claimed to be a lessee. From the impugned order there does not appear to be any other factual dispute. Hence being of the view that the matter is covered by Order 18 Rule 1, the trial court has directed the defendant/present petitioner to commence his evidence first. It is this order which is challenged by filing the present writ petition.

2. Perused the order. The same does not suffer from any manifest illegality warranting any interference in exercise of writ jurisdiction. Hence writ petition is summarily rejected.

